

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>JORGE L. CONCEPCION,</b>	:	
Plaintiff,	:	
	:	
v.	:	<b>CIVIL ACTION NO. 21-CV-3434</b>
	:	
<b>KIRSTEN KINCH, BRANDY BECK,</b>	:	
<b>JOHN E. DILLENSNYDER III,</b>	:	
<b>TONYA SHAFFER, AND JOHN DOE,</b>	:	
Defendants.	:	

**ORDER**

AND NOW, this 16<sup>th</sup> day of December, 2022, upon consideration of Defendants' Motions to Dismiss (ECF Nos. 42 & 44), as well as all other submissions related thereto, and for the reasons stated in the accompanying memorandum, it is **ORDERED** that:

1. Defendants' Motions to Dismiss (ECF Nos. 42 & 44) are **GRANTED** in part and **DENIED** in part,
2. Counts I, II, and III of Plaintiff's Third Amended Complaint (ECF 41) are **DISMISSED without prejudice** with leave to amend within fourteen (14) days,
3. Count IV is **DISMISSED with prejudice** against Defendants Shaffer and Dillensnyder only,
4. Defendants' Motions to Dismiss are **DENIED** (ECF Nos. 42 & 44) as to Count IV against Defendants Kinch, Beck, and Doe.

**BY THE COURT:**

**/s/ MICHAEL M. BAYLSON**

---

**MICHAEL M. BAYLSON, J.**